

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

FLOYD L. SEMONS,

Plaintiff,

v.

Case No. 22-CV-594

JAMES TAULBUT,

Defendant.

ORDER

On May 2, 2023, and May 3, 2023, plaintiff Floyd L. Semons, who is confined at Green Bay Correctional Institution and representing himself, filed three motions—a motion requesting mediation (ECF No. 78), a motion for perjury (ECF No. 79), and a third motion to compel (ECF No. 82). This order resolves those motions.

Regarding the motion for mediation, as the court explained in its order dated April 27, 2023 (ECF No. 76), Semons must contact Taulbut's attorneys to gauge their interest in mediation. If both parties are interested in pursuing mediation, they may file a joint request for mediation. Only then will the court refer the case to another magistrate judge for mediation. Semons's motion for mediation is denied.

Regarding Semons's motion for perjury, he asserts that Taulbut lied in his summary judgment materials. However, he offers no evidence indicating that

Taulbut's factual assertions or declarations are false. The court has reviewed Taulbut's materials and finds no basis for Semons's motion. His motion is denied.

Turning to the third motion to compel, in response Taulbut notes that once again Semons has failed to follow Federal Rule 37(a) and Civil Local Rule 37 and make a good faith effort to meet and confer with Taulbut to resolve his discovery issues. (ECF No. 87.) Even if Semons had followed the applicable rules, Taulbut asserts that he has produced all responsive materials. If there is anything he did not produce, it is because it does not exist.

The court cannot compel a party to produce something that does not exist. Semons's third motion to compel is denied.

IT IS THEREFORE ORDERED that Semons's motion for mediation (ECF No. 78) is **DENIED**.

IT IS FURTHER ORDERED that Semons's motion for perjury (ECF No. 79) is **DENIED**.

IT IS FURTHER ORDERED that Semons's third motion to compel (ECF No. 82) is **DENIED**.

Dated in Milwaukee, Wisconsin this 13th day of June, 2023.

BY THE COURT

A handwritten signature in black ink, reading "William E. Duffin". The signature is written in a cursive style with a horizontal line underneath the name.

WILLIAM E. DUFFIN
United States Magistrate Judge